

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

| | |
|--|--|
| IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION | Master File No. 2:12-MD-02327 MDL No. 2327 Wave 8 |
| THIS DOCUMENT RELATES TO: <i>Wave 10 cases listed on Plaintiffs' Exhibit A</i> | JOSEPH R. GOODWIN U.S. DISTRICT JUDGE |

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSES
REGARDING MARSHALL SHOEMAKER, M.D. FOR WAVE 10**

Plaintiffs filed a Notice of Adoption [Dkt. 8008] in the Wave 10 cases identified in Exhibit A to their Notice, adopting their Motion to Exclude Certain Opinions and Testimony of Marshall Shoemaker, M.D. and Supporting Memorandum from Ethicon Wave 5, Dkt. 4328 (motion), 4329 (memorandum in support). Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to Marshall Shoemaker, M.D. for Ethicon Wave 5, Dkt. 4551. Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 5 response briefing.

Respectfully submitted,

/s/ William M. Gage

William M. Gage (MS Bar #8691)

Butler Snow LLP

1020 Highland Colony Parkway

Suite 1400 (39157)

P.O. Box 6010

Ridgeland, MS 39158-6010

(601) 985-4561

william.gage@butlersnow.com

/s/ Susan M. Robinson

Susan M. Robinson (W. Va. Bar #5169)

Thomas Combs & Spann PLLC

300 Summers Street

Suite 1380 (25301)

P.O. Box 3824

Charleston, WV 24338

(304) 414-1800

srobinson@tcspllc.com

Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on this day, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage